

Message

From: Bodine, Susan [bodine.susan@epa.gov]
Sent: 11/6/2020 11:04:52 PM
To: Hull, George [Hull.George@epa.gov]
CC: Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Irving, John [Irving.John@epa.gov]; Egan, Patrick [egan.patrick@epa.gov]
Subject: Re: Inquiry from WBEZ Chicago on Inspectors

Ok

Go with this if not too late

But our hearing fact sheets and old EDGI responses address the numeric issue

Sent from my iPhone

On Nov 6, 2020, at 4:48 PM, Hull, George <Hull.George@epa.gov> wrote:

Circling back on this one, as Region 5 says the radio station is going to go to air, soon. Thanks, George

From: Hull, George
Sent: Friday, November 06, 2020 2:51 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Irving, John <Irving.John@epa.gov>
Cc: Egan, Patrick <egan.patrick@epa.gov>
Subject: RE: Inquiry from WBEZ Chicago on Inspectors

Susan,

The only language I've been able to find on inspections is tied to COVID-19 and includes discussion of monitoring tools that we deployed when in person inspections were not possible. I believe we have also said in the past that we have hired up to staffing limits. We have been using the statistics below to push back on accusations of decreased enforcement. Here is another draft response for your consideration. – George

Contrary to the assertion of your guests, EPA is maintaining a vigorous enforcement program. In fact, EPA has reported increases in 2019 in every criminal enforcement measure:

- o 170 new cases opened
- o 141 defendants charged
- o 123 defendants convicted
- o \$48 million in fines and \$60 million in restitution

· From 2017 to 2019, there has been a 79 percent increase in self-disclosed violations by facilities, leading to greater compliance by these firms.

· In the Trump Administration, EPA has already collected more criminal and civil penalties than in the first four years of the Obama/Biden Administration and we are on track to collect more than twice as much during our first term – all without counting the VW case.

From: Bodine, Susan <bodine.susan@epa.gov>
Sent: Friday, November 06, 2020 12:54 PM
To: Hull, George <Hull.George@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Irving, John <Irving.John@epa.gov>
Cc: Egan, Patrick <egan.patrick@epa.gov>
Subject: RE: Inquiry from WBEZ Chicago on Inspectors

George,

It is not a Covid question.

We have responded to the # of inspections and # of enforcement actions question also

From: Hull, George <Hull.George@epa.gov>
Sent: Friday, November 6, 2020 12:42 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Irving, John <Irving.John@epa.gov>
Cc: Egan, Patrick <egan.patrick@epa.gov>
Subject: Inquiry from WBEZ Chicago on Inspectors

Susan, Larry and John,
Region 5 has received an inquiry from a Chicago radio station. OPA asked us to answer their first question on whether enforcement is suffering due to a shortage of inspectors. I've suggested a response that we used for a similar inquiry from the Associated Press. Please let me know if you have any edits. Thanks, George

From the Reporter:

Jerome McDonnell from WBEZ here. I'm doing a short piece with two of the members of American Federation of Government Employees Local 704. I asked them about watching the election results and what they thought of the last four years and what their hopes for the future are.

They raised a couple points I want to get an EPA reaction to.

1. One of the union members talk about how not having enough enforcement officers out there, and not having enough investigators, and not having enough inspectors, will automatically decrease findings. And that will automatically decrease enforcement actions.

Is enforcement suffering because not enough EPA personnel are out there?

Draft Response: EPA continues to enforce environmental laws and protect human health and the environment nationwide during these unprecedented times. In doing so, EPA is mindful of the health and safety of the public, as well as American workers, our staff, and the staff of our co-regulators. We also are mindful that the COVID-19 public health emergency may affect

facility operations and the availability of key staff, contractors, and others involved in the important work of complying with the nation's environmental protection laws. Finally, we are mindful that the COVID-19 public health emergency represents an imminent threat to every American, particularly those workers who cannot telework from the safety of their homes and are on the job, keeping our infrastructure running and monitoring environmental compliance.

EPA continues to closely monitor developments in the COVID-19 public health emergency to inform enforcement operations. EPA will take into consideration recommendations of state and local public health departments to inform future operational decisions.

2. Also, a point as raised about perceived discrimination in personnel moves. Sited were an instance where the only Latino supervisor at the Office of Regional Council had his position downgraded for no apparent reason. Another instance was the a manager in the water division who was Asian American, and in a reshuffle he was the only manger that didn't end up in another management position.

Is there a discrimination problem at region 5?

Draft Region 5 Response: Region 5 is committed to supporting a workplace where discrimination is not tolerated and to advancing diversity, equity and inclusion in the workplace. Region 5 treats every employee allegation of discrimination seriously--consistent with EPA's broad policy prohibiting discrimination in the workplace--including a robust anti-harassment investigatory process. Region 5 will not comment on specific personnel matters. All employees have access to statutorily-mandated processes to address any complaints about discrimination or other alleged prohibited personnel practices.